

MINUTES

JUDICIAL EVALUATION COMMISSION October 16, 2008 Administrative Office of the Courts

The public meeting of the Judicial Evaluation Commission was called to order by William C. Whitesell, Jr., Chairperson.

William C. Whitesell, Chair	<i>Quincy Barlow</i>	John Day
Telford Forgety	Henrietta Grant	Barbara Haskew
William Massey	Carol McCoy	Susan McGannon
Roger Page	Howell Peoples	Barbara Walls

Name in italics indicates absence from meeting.

Aaron Conklin, AOC Assistant General Counsel/Commission Staff was also present.

1. Commission staff, Aaron Conklin, explained the survey of appellate judges concerning their opinions and perceptions of the judicial performance evaluation process.
2. The Commission discussed changes and enhancements that may bring improvement to the JPE process. Carol McCoy moved that surveys include a comment section where participants may make specific and limited comment(s) on the quality of one, but no more than three, opinions for any one judge. The motion was seconded and approved. Carol McCoy also moved that the commission staff be authorized to explore out-of-state sources to evaluate written opinions. The motion was seconded and approved. ***(The recommendation that surveys include an opinion comment section will be submitted to the Judicial Performance Program Committee for consideration. The JPPC has final approval on the survey instruments used.)***
3. The commission discussed the use of electronic surveys, both in addition to and as a part of the current survey process for the purpose of increasing the validity of survey responses by increasing the sample size of responders and to decrease cost.
4. The commission discussed efforts to publish the 2008 report and the difficulties with getting press outlets to pick up the story concerning the release of the report. Consideration of the expense of print space in newspapers as well as decreased circulation of newspapers led to comments that it may be more cost effective to simply publish through the internet.
5. The commission tentatively scheduled interview dates for the 2010 general election cycle, which includes mid-term self-improvement evaluations of all judges, as follows: September 16, 2009 – Memphis; September 17, 2009 – Nashville; September 24, 2009 – Knoxville. October dates are being looked at as an alternative.
6. Carol McCoy moved to amend the Tennessee Plan to require that the Commission not undertake to evaluate for retention any judge who appears on the ballot less than one year subsequent to appointment. The motion was seconded and approved. The AOC was asked to draft and circulate such a proposal to commission members.
7. Having conducted all business, the meeting was adjourned.

William C. Whitesell, Jr., JEC Chairperson

Date

Prepared by: Aaron J. Conklin, Commission Staff